



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Set Public Hearing for November 2, 2005 to consider the Planning Commission's recommendation of approval of the request of John Costamagna for a Rezone from R-2, Residential Single Family to PD(37), Planned Development Number 37 for "Luca Place" a 17-lot low density single-family residential subdivision located at 1380 Westgate Drive, and approve Negative Declaration ND-05-04 as adequate environmental documentation for the project.

**MEETING DATE:** October 19, 2005

**PREPARED BY:** Associate Planner, Mark Meissner

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**RECOMMENDED ACTION:** Set Public Hearing for November 2, 2005 to consider the Planning Commission's recommendation of approval of the request of John Costamagna for a Rezone from R-2, Residential Single Family to PD(37), Planned Development Number 37 for "Luca Place" a 17-lot low density single-family residential subdivision located at 1380 Westgate Drive, and approve Negative Declaration ND-05-04 as adequate environmental documentation for the project.

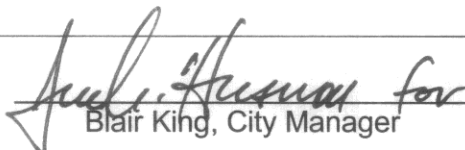
**FUNDING:** None

  
\_\_\_\_\_  
Randy Hatch  
Community Development Director

MM/kc

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APPROVED:

  
\_\_\_\_\_  
Blair King, City Manager

PROOF OF PUBLICATION

(2015.5 C.C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin


I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper had been adjudicated a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which the annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates to-wit:

October 22nd

all in the year 2005.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 22nd day of October, 2005

  
Signature

This space is for the County Clerk's Filing Stamp  
2005 NOV -9 PM 1:29

RECEIVED

CITY CLERK  
CITY OF LODI

Proof of Publication of  
Special Notice of Public Hearing for November 2, 2005  
Request Of John Costmagna for a Rezone from R-2,  
Residential Single Family

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, November 2, 2005 at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

a) Consider the Planning Commission's recommendation of approval of the request of John Costamagna for a Rezone from R-2, Residential Single Family to PD(37), Planned Development Number 37 for "Luca Place" a 17-lot low density single-family residential subdivision located at 1380 Westgate Drive, and approve Negative Declaration ND-05-04 as adequate environmental documentation for the project.

Information regarding this item may be obtained in the office of the Community Development Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the close of the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Susan J. Blackston  
City Clerk

Dated: October 19, 2005

Approved as to form:

D. Stephen Schwabauer  
City Attorney  
October 22, 2005 - 08502353

8502353



***Please immediately confirm receipt  
of this fax by calling 333-6702***

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT:** **SPECIAL NOTICE OF PUBLIC HEARING FOR NOVEMBER 2, 2005,** Consider the Planning Commission's recommendation of approval of the request of John Costamagna for a Rezone from R-2, Residential Single Family to PD(37), Planned Development Number 37 for "Luca Place" a 17-lot low density single-family residential subdivision located at 1380 Westgate Drive, and approve Negative Declaration ND-05-04 as adequate environmental documentation for the project.

**LEGAL AD**

**PUBLISH DATE:** **October 22, 2005**

**TEAR SHEETS WANTED:** **Three (3) please**

**SEND AFFIDAVIT AND BILL TO:** SUSAN BLACKSTON, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED:** THURSDAY OCTOBER 20, 2005

**ORDERED BY:** SUSAN J. BLACKSTON  
CITY CLERK

JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

  
DANA R. CHAPMAN  
ADMINISTRATIVE CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

LNS Faxed to the Sentinel at 369-1084 at 12:40 PM (time) on 10/20/05 (date) 2 (pages)  
Phoned to confirm receipt of all pages at 1:43 (time) JLT DRC JMP (initials)



## **DECLARATION OF POSTING**

**PUBLIC HEARING FOR NOVEMBER 2, 2005, CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL OF THE REQUEST OF JOHN COSTAMAGNA FOR A REZONE FROM R-2, RESIDENTIAL SINGLE FAMILY TO PD(37), PLANNED DEVELOPMENT NUMBER 37 FOR "LUCA PLACE" A 17-LOT LOW DENSITY SINGLE-FAMILY RESIDENTIAL SUBDIVISION LOCATED AT 1380 WESTGATE DRIVE, AND APPROVE NEGATIVE DECLARATION ND-05-04 AS ADEQUATE ENVIRONMENTAL DOCUMENTATION FOR THE PROJECT.**

On Thursday, October 20, 2005, in the City of Lodi, San Joaquin County, California, a notice of public hearing to Consider the Planning Commission's recommendation of approval of the request of John Costamagna for a Rezone from R-2, Residential Single Family to PD(37), Planned Development Number 37 for "Luca Place" a 17-lot low density single-family residential subdivision located at 1380 Westgate Drive, and approve Negative Declaration ND-05-04 as adequate environmental documentation for the project.

Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 20, 2005, at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON**  
**CITY CLERK**

\_\_\_\_\_  
JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

\_\_\_\_\_  
JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

A handwritten signature in cursive script, reading "Dana R. Chapman".

DANA R. CHAPMAN  
ADMINISTRATIVE CLERK



## **DECLARATION OF MAILING**

**PUBLIC HEARING FOR NOVEMBER 2, 2005, CONSIDER THE PLANNING COMMISSIONS'S RECOMMENDATION OF APPROVAL OF THE REQUEST OF JOHN COSTAMAGNA FOR A REZONE FROM R-2, RESIDENTIAL SINGLE FAMILY TO PD(37), PLANNED DEVELOPMENT NUMBER 37 FOR "LUCA PLACE" A 17-LOT LOW DENSITY SINGLE-FAMILY RESIDENTIAL SUBDIVISION LOCATED AT 1380 WESTGATE DRIVE, AND APPROVE NEGATIVE DECLARATION ND-05-04 AS ADEQUATE ENVIRONMENTAL DOCUMENTATION FOR THE PROJECT.**

On October 21, 2005, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a to Consider the Planning Commission's recommendation of approval of the request of John Costamagna for a Rezone from R-2, Residential Single Family to PD(37), Planned Development Number 37 for "Luca Place" a 17-lot low density single-family residential subdivision located at 1380 Westgate Drive, and approve Negative Declaration ND-05-04 as adequate environmental documentation for the project. marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 20, 2005, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON  
CITY CLERK, CITY OF LODI**

ORDERED BY:

JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

A handwritten signature in cursive script, appearing to read "Dana R. Chapman", is written over a horizontal line.

DANA R. CHAPMAN  
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

**NOTICE OF PUBLIC HEARING**  
**LODI CITY COUNCIL**  
**221 W. PINE STREET, LODI, 95240 --TELEPHONE 333-6702**

**DATE:** Wednesday, November 2, 2005

**TIME:** 7:00 p.m., or as soon thereafter as the matter can be heard

**PLACE:** Carnegie Forum, 305 West Pine Street, Lodi

**SUBJECT:** To consider the Planning Commission's recommendation of approval of the request of John Costamagna for a Rezone from R-2, Residential Single Family to PD (37), Planned Development Number 37 for "Luca Place" a 17-lot low density single-family residential subdivision located at 1380 Westgate Drive, and approve Negative Declaration ND-05-04 as adequate environmental documentation for the project.

**(SEE REVERSE SIDE FOR MAP)**

INFORMATION REGARDING THIS MATTER MAY BE OBTAINED IN THE OFFICE OF THE COMMUNITY DEVELOPMENT DEPARTMENT, 221 W. PINE ST., LODI.

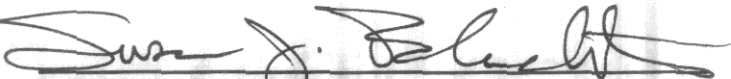
WRITTEN STATEMENTS MAY BE FILED WITH THE CITY CLERK, 221 W. PINE ST., 2<sup>ND</sup> FLOOR, LODI, AT ANY TIME PRIOR TO THE HEARING SCHEDULED HEREIN, AND ORAL STATEMENTS MAY BE MADE AT SAID HEARING.

ALL PROCEEDINGS BEFORE THE CITY COUNCIL ARE CONDUCTED IN ENGLISH. THE CITY OF LODI DOES NOT FURNISH INTERPRETERS, AND, IF ONE IS NEEDED, IT SHALL BE THE RESPONSIBILITY OF THE PERSON NEEDING ONE.

ANYONE WISHING TO BE HEARD ON THE ISSUE MAY APPEAR BEFORE THE CITY COUNCIL AT THE TIME OF THE PUBLIC HEARING. IT DESERVES TO BE NOTED THAT THE LEGAL REQUIREMENT OF PUBLIC NOTICE DOES NOT GUARANTEE NOTICE TO ALL PERSONS RESIDING IN OR OTHERWISE USING PROPERTY IN THE GENERAL VICINITY OF THE PROPERTY IN QUESTION. ACCORDINGLY, EACH RESIDENT OF THIS NOTICE IS RESPECTFULLY REQUESTED TO BRING THIS NOTICE PROMPTLY TO THE ATTENTION OF ANY OTHER PERSON OR PERSONS WHOM THE RECIPIENT FEELS MAY BE INTERESTED IN OR AFFECTED BY THIS PROPOSAL IN ORDER THAT ALL PERSONS MAY BE GIVEN AN OPPORTUNITY TO BE HEARD ON THE ISSUE.

IF YOU CHALLENGE THE PROPOSED ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY CLERK/CITY COUNCIL AT, OR PRIOR TO, THE PUBLIC HEARING.

Date Mailed: October 20, 2005

  
**SUSAN J. BLACKSTON**  
CITY CLERK OF THE CITY OF LODI

# COSTAMAGNA 05-S-004

APN;OWNER;ADDRESS;CITY;STATE;ZIP;SITUSNUM;SITUSDIR;SITUSSTNAME;SITUSTYP  
E

02705020;HEDRICK, LAMAR A & JOANN A TR;209 E HWY  
12;LODI;CA;95242;291;E;ST RT 12;HY

05803010;LODI CITY OF;PO BOX 3006;LODI;CA;95241;2800;W;KETTLEMAN;LN

02705021;GEWEKE FAMILY LTD PTP;2475 MAGGIO CIR;LODI;CA;95240;341;E;ST  
RT 12;HY

02742001;GEWEKE FAMILY PTP;PO BOX  
1210;LODI;CA;95241;2749;W;KETTLEMAN;LN

05803009;REICHMUTH, CAROLYN HINES;1358 MIDVALE  
RD;LODI;CA;95240;252;E;ST RT 12;HY

John Costamagna  
1351 E. Pine St., Lodi 95240  
& P.O. Box 131, Lodi, 95241



# CITY OF LODI

Carnegie Forum  
305 West Pine Street, Lodi

## NOTICE OF PUBLIC HEARING

Date: November 2, 2005

Time: 7:00 p.m.

For information regarding this notice please contact:

**Susan J. Blackston**  
City Clerk  
Telephone: (209) 333-6702

### NOTICE OF PUBLIC HEARING

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By Order of the Lodi City Council:

Susan J. Blackston  
City Clerk

**Dated: October 19, 2005.**

Approved as to form:

D. Stephen Schwabauer  
City Attorney